

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

MARC ANTHONY TOWNES,)	
)	
Petitioner,)	
)	
vs.)	CIVIL ACTION 13-0403-CG-M
)	CRIMINAL NO. 07-00039-CG-M
UNITED STATES OF AMERICA,)	
)	
Respondent.)	

ORDER

After due and proper consideration of the issues raised, and there having been no objections filed, the Recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) is adopted as the opinion of this Court.

Accordingly, it is **ORDERED** that Respondent's Motion to Dismiss (Doc. 55) is **GRANTED**, that Petitioner's Motion to Vacate (Doc. 53) is **DENIED**, and that this action is hereby **DISMISSED**. It is further **ORDERED** that any certificate of appealability filed by Petitioner be **DENIED** as he is not entitled to appeal in forma pauperis.

DONE and ORDERED this 1st day of November, 2013.

/s/ Callie V. S. Granade
UNITED STATES DISTRICT JUDGE